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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/779,880	02/18/2004	Haruki Yoshida	Q79957	9500
23373	7590	04/25/2005	EXAMINER	
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			LE, THANH TAM T	
			ART UNIT	PAPER NUMBER
			2839	

DATE MAILED: 04/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/779,880	Applicant(s) YOSHIDA ET AL.	
	Examiner Thanh-Tam T. Le	Art Unit 2839	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 March 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 March 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-6, 8 and 10-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Sato et al. (6,547,608).

Regarding claim 1, Sato et al., figure 8C, disclose a female terminal comprising:

- a terminal-inserting portion having a bottom wall (8C) and a resilient contact piece portion (3C) extending rearwardly from a front end edge (11C) of the bottom wall to a free end portion (12C); and
- a convex portion projecting toward the bottom wall is formed at the free end portion, when the resilient contact piece portion is resiliently deformed upon insertion of a male terminal (2), the convex portion is brought into contact with the bottom wall, a front side part of the resilient contact piece portion is spaced from the bottom wall with a clearance.

Regarding claims 2-3 and 10, figure 8C, wherein the resilient contact piece

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portion including a first curved portion (AC1) by which the male terminal is clamped, and wherein the resilient contact piece portion extending almost parallel to an insertion direction of the male terminal except the first curved portion.

Regarding claim 4, figure 8C, a second curved portion (BC) on a top wall (7C) of the terminal-inserting portion.

Regarding claim 5, the first and second curved portions are opposed to each other.

Regarding claim 6, the resilient contact piece portion extending almost parallel to the bottom wall except the first curved portion to form the clearance between the contact piece and the bottom wall.

Regarding claim 8, the convex portion having a semi-arc shape in cross-section.

Regarding claim 11, a part of the resilient contact piece portion extends rearwardly to be substantially parallel with a terminal insertion portion.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1 and 9 are rejected under 35 U.S.C. 102(e) as being anticipated by Shimizu (6,761,597).

Regarding claim 1, Shimizu, figure 2, disclose a female terminal comprising:

- a terminal-inserting portion having a bottom wall (2) and a resilient contact piece portion (14) extending rearwardly from a front end edge (13) of the bottom wall to a free end portion (14f); and

- a convex portion projecting toward the bottom wall is formed at the free end portion, when the resilient contact piece portion is resiliently deformed upon insertion of a male terminal, the convex portion is brought into contact with the bottom wall, a front side part of the resilient contact piece portion is spaced from the bottom wall with a clearance.

Regarding claim 9, the convex portion is spaced from the bottom wall when the male terminal has not been inserted (figure 2, column 2, lines 66-67 and column 3, lines 1-5)

#### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sato et al. (6,547,608 in figure 8C) in view of Sato et al. (6,547,608 in figure 6).

Sato et al., figure 8C, disclose the instant claimed invention as described above except for a third curved portion is formed on the bottom wall at a position corresponding to a first curved portion.

Sato et al., figure 6, disclose a female terminal having a contact (B10) which read on a third curved portion corresponding to a first curved portion (140). It would have been obvious to one of ordinary skill in the art at the time the invention was made to

modify Sato et al., figure 8C to have the third curved portion, as taught by Sato et al., figure 6, in order to have more flexibility.

### ***Response to Arguments***

6. Applicant's arguments filed 3/15/05 have been fully considered but they are not persuasive.

Applicant states that the convex portion 12C of Sato is not brought into contact with the wall 8C from a position spaced from the wall 8C, upon insertion of the male terminal. Instead, the convex portion 12C is always in contact with the wall 8C.

The Examiner agrees. But the Applicant does not claim the position of the convex portion before the insertion of the male terminal (likes the limitation of a new claim 9), therefore, it is believed that the rejections should be sustained.

### ***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

8. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh-Tam T. Le whose telephone number is 571-272-2094. The examiner can normally be reached on 7:30-5:00.

10. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, TC Patel can be reached on 571-272-2098. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

11. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TL.  
04/18/05.



T. Le